

JOSEPH M. MEIER
COSHO, HUMPHREY, GREENER & WELSH, P.A.
815 W. Washington
Boise, ID 83701
Telephone: (208)344-7811
Facsimile: (208)338-3290
ISB# 3314

U.S. COURT
NOV 22 PM 4:52
CLERK
IDAHO

Attorneys for Trustee

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF IDAHO

In Re:) Chapter 7
) Case No. 99-01868
Francisco Maciel Castellanos, Jr.)
aka Frank M. Castellanos Jr.) EX PARTE MOTION TO SHORTEN
) TIME FOR HEARING
<u>Debtor.</u>)

The Trustee through her special counsel, moves this Court for an Order Shortening Time for Hearing on her Motion under Rule 9019 to compromise controversy. Notice must be given pursuant to Rule 2002(a)(3). Rule 2002(a)(3) requires that 20 days notice be given by mail on approval of a compromise or settlement of a controversy other than approval of an agreement pursuant to Rule 4001 (d), unless the court for cause shown directs that notice not be sent. Rule 9006(c)(2) of the U.S. Bankruptcy Rules does not prohibit the reduction of time under for this notice.

An emergency exists to have a shortened hearing in this matter as described in the Affidavit of Richard H. Greener, special attorney for the Trustee, and the motion to compromise the controversy. Also Trustee alleges that no prejudice will be suffered by the creditors or the estate by the shortened time for hearing since the settlement should pay all creditors (based on scheduled claims), the estate and the estate's professionals in full. The balance of the proceeds will be paid to the Debtor who supports the motion.

EX PARTE MOTION TO SHORTEN TIME FOR HEARING, Page 1

ja H:\C\Castellanos\SHORTEN.MOT.DOC November 22, 1999

13

WHEREFORE The Trustee moves this Court for an Order shortening time to allow a hearing to be conducted on its proposed compromise of controversy on December 7, 1999 at 1:30 p.m, which is less than 15 days from the date the motion to compromise the controversy is being filed.

DATED this 22ND day of November, 1999.

COSHO, HUMPHREY, GREENER
& WELSH, P.A.



Joseph M. Meier